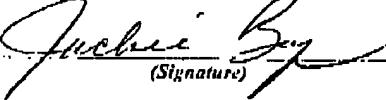


|  |                           |                           |                        |                        |
|--|---------------------------|---------------------------|------------------------|------------------------|
| <b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>   |                           |                           |                        | Docket No.<br>SCR-0006 |
| Applicant(s): Bernardo Martinez-Tovar  |                           |                           |                        |                        |
| Application No.<br>09/470,343  | Filing Date<br>12/22/1999 | Examiner<br>Troy Chambers | Group Art Unit<br>3641 |                        |
| Invention: TITANIUM SEMICONDUCTOR BRIDGE IGNITER   |                           |                           |                        |                        |
| <b>RECEIVED</b><br>CENTRAL FAX CENTER<br><b>AUG 25 2005</b>  |                           |                           |                        |                        |
| <p>I hereby certify that this <u>General Transmittal(1);Interview Summary by Applicant(3pgs);Certificate of Fax(1)</u><br/>(Identify type of correspondence)<br/>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571 273-8300</u>)<br/>on <u>August 25, 2005</u><br/>(Date)</p> |                           |                           |                        |                        |
| <p><u>Jackie Boya</u><br/>(Typed or Printed Name of Person Signing Certificate)<br/><br/>(Signature)</p>   |                           |                           |                        |                        |
| <p>Note: Each paper must have its own certificate of mailing.</p>  |                           |                           |                        |                        |

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
SCB-0006

In Re Application Of: Bernardo Martinez-Tovar et al.

|                               |                           |                         |                       |                        |                  |
|-------------------------------|---------------------------|-------------------------|-----------------------|------------------------|------------------|
| Application No.<br>09/470,343 | Filing Date<br>12/22/1999 | Examiner<br>T. Chambers | Customer No.<br>23413 | Group Art Unit<br>3641 | Confirmation No. |
|-------------------------------|---------------------------|-------------------------|-----------------------|------------------------|------------------|

Title: TITANIUM SEMICONDUCTOR BRIDGE IGNITER

**TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:**

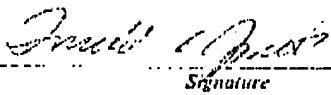
Transmitted herewith is:

**Interview Summary by Applicant**

in the above identified application.

- No additional fee is required.
- A check in the amount of \_\_\_\_\_ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 06-1130 as described below.
  - Charge the amount of \_\_\_\_\_
  - Credit any overpayment.
  - Charge any additional fee required.
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
\_\_\_\_\_  
Signature

Dated: August 25, 2005

Frederick A. Spaeth, Esq.  
Registration No: 33,793  
Customer No: 23413  
Telephone No: (860) 286-2929

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents", P.O. Box 1450, Alexandria, VA 22313-1450 [37 CFR 1.8(a)] on

August 25, 2005

(Date)

  
\_\_\_\_\_  
Signature of Person Mailing Correspondence

Jackie Boya

Type or Printed Name of Person Mailing Correspondence

cc:

SCB-0006

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AUG 25 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: B. Martinez-Tovar et al ) GROUP ART UNIT: 3641  
SERIAL NO: 09/470,343 ) EXAMINER: T. Chambers  
FILING DATE: December 22, 1999 )  
TITLE: TITANIUM SEMICONDUCTOR BRIDGE )  
IGNITER )

INTERVIEW SUMMARY BY APPLICANT

Via Facsimile: (571) 273-8300

Date: August 25, 2005

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir,

This paper is submitted pursuant to 37 CFR 1.133 (b) and MPEP 713.04 (8<sup>th</sup> Ed. Rev. May 2004) to make of record the substance of a telephone interview on August 18, 2005 between the undersigned and Examiner Chambers regarding the office action mailed June 22, 2005 in the captioned application. The Applicant's reply to the office action will be filed in due course.

MATTERS DISCUSSED

A. Request for Non-final Action

During the interview, the undersigned requested that the "final" status of the June 22 office action be withdrawn because, prior to its mailing, the Applicant submitted a written request for an interview (form PTOL-413A) with the response to the previous

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office action. At the Examiner's request, a duplicate of the interview request form was faxed to the Examiner on August 18, 2005.

B. The citation of the abstract for DE19721929

The Applicant maintains that the abstract is not properly citable because (i) the principal document is available (See MPEP 706.02), (ii) the abstract does not appear to qualify as prior art because of a lack of publication date, and (iii) the Applicant has provided evidence that the portion of the abstract relied upon by the Examiner (a disclosure pertaining to titanium) does not reflect the content of the principal document (which does not appear to disclose titanium). The undersigned also suggested that the improper citation of this reference further justifies issuance of a nonfinal action.

C. "Consisting Essentially Of" in claim 18

The Examiner asserted that "consisting essentially of" would not be given effect in claim 18 because the claim is not drawn to a composition or method and questioned whether the use of "comprising" after "consisting essentially of" negates the exclusionary effect of "consisting essentially of." No supporting authority was cited. The undersigned pointed out where the specification and prior arguments indicate the intended effect of "consisting essentially of."

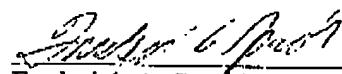
D. The rejection under 35 U.S.C. § 103

The undersigned argued that even if DE19721929 to Weiss et al. (Weiss) was credited with disclosing a titanium bridge instead of the hafnium it actually discloses, the asserted combination with US 4,976,200 to Benson et al. (Benson) would not be obvious because the bridge shown by Benson includes a semiconductor material under the tungsten, whereas the hafnium bridge shown by Weiss does not. Instead, Weiss's bridge is disposed directly on a thermally insulating substrate. In addition, Weiss criticizes Benson for placing the tungsten on a non-thermally insulating material. Weiss thus teaches away from the asserted combination. Finally, the semiconductor material of Benson generates

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the plasma; to make the asserted combination would improperly require a significant change in the mode of operation disclosed in one reference or the other.

Respectfully submitted,

  
\_\_\_\_\_  
Frederick A. Spaeth, Esq.  
Registration No: 33,793  
Attorney for Applicant

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